



Howrey Docket No. 04813.0013.NPUS00  
MP Ref. No.: MPPT.0008.NPRUS01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**Martin de Tezanos Pinto, et al.**

Application No.: 10/060,965

Filed: October 19, 2001

For: **RECIRCULATING ANODE**

Art Unit: 1741

Examiner: Unassigned

**TRANSMITTAL FOR PETITION TO REVIVE UNINTENTIONALLY**

**ABANDONED APPLICATION UNDER 37 CFR §1.137(b)**

**Mail Stop Petitions**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**NOV 25 2003**

**OFFICE OF PETITIONS**

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Petition to Revive Unintentionally Abandoned Application Under 37 CFR §1.137(b);
- ☒ Copy of Notice to File Corrected Application Papers;
- ☒ Preliminary Amendment with 7 (seven) sheets of substitute drawings; and
- ☒ Return postcard.

11/25/2003 AWONDAF1 00000029 083038 10060965

01 FC:2453 665.00 DA

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 20, 2003  
Date of Deposit

Robin L. Clow  
Name of Person Mailing Paper

B. Clow  
Signature of Person Mailing Paper

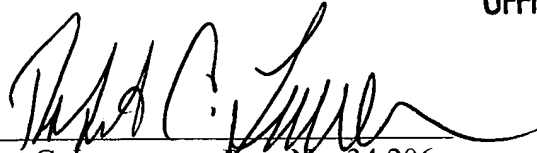
The U.S. Patent and Trademark Office is hereby authorized to charge a fee of \$665.00 required under 37 CFR §1.17(m), as well as any fee deficiency, to our Deposit Account No. **08-3038**, referencing Docket No. **04813.0013.NPUS00**.

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**OFFICE OF PETITIONS**

Respectfully submitted,



Robert C. Laurenson, Reg. No. 34,206

Date: November 19, 2003

HOWREY SIMON ARNOLD & WHITE, LLP  
301 Ravenswood Avenue, **Box No. 34**  
Menlo Park, CA 94025  
FAX No. (650) 463-8400  
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Dear Sir:

Applicants hereby request that the above-captioned application be revived. Applicants believe that this application is currently abandoned for failure of Applicants to timely respond to a Notice to File Corrected Application Papers dated May 22, 2002. However, Applicants never received the original Notice, and were not made aware of the Notice until October 16, 2003. Thus, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Since October 2002, Applicants made repeated attempts to obtain status from the USPTO on an outstanding Petition to Make Special filed in connection with this application. Applicants contacted the USPTO Technology Center in October and November 2002 and learned that the Petition was pending, but were never apprized of the outstanding Notice. Applicants made

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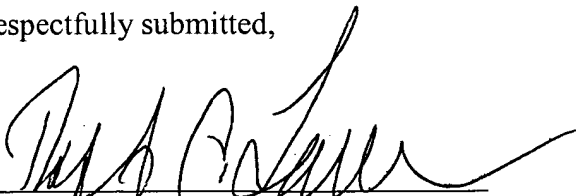
R. Clow  
Signature of Person Mailing Paper

further status requests in March, April, and May of 2003, and were informed on each occasion that the Petition to Make Special was still pending. Despite these status requests, Applicants were not made aware of the outstanding Notice until, in response to another status inquiry, the USPTO provided a facsimile copy on October 16, 2003, almost 17 months after the original mailing date. In a November 13, 2003 phone conference with Preston Wallace of the OIPE, Applicants were advised that the status of this application is uncertain, due in part to the outstanding Petition to Make Special. Mr. Wallace further advised Applicants to file this petition under 37 CFR §1.137.

In view of the above, Applicants maintain that the entire delay in filing a response to the outstanding Notice was unintentional, and therefore respectfully request that this petition be granted. In papers submitted with this petition, Applicants have responded to the outstanding Notice by providing substitute drawings to correct informalities in the application as filed.

The U.S. Patent and Trademark Office is hereby authorized to charge a fee of \$665.00 required under 37 CFR §1.17(m), as well as any fee deficiency, to our Deposit Account No. **08-3038**, referencing Docket No. **04813.0013.NPUS00**.

Respectfully submitted,

  
Robert C. Laurenson, Reg. No. 34,206

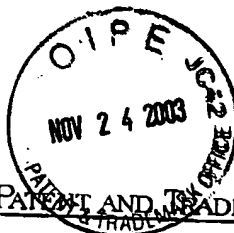
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/060,965	10/19/2001	Martin de Tezanos Pinto	04813.0013.NPUS00

27240  
HOWREY SIMON ARNOLD & WHITE, LLP - OC  
301 RAVENSWOOD AVENUE  
BOX 34  
MENLO PARK, CA 94025

CONFIRMATION NO. 7892

## FORMALITIES LETTER



\*OC000000008168994\*

Date Mailed: 05/22/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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